

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NEW CONCEPT ENERGY, INC.,

Plaintiff,

v.

GUY GENTILE and  
MINTBROKER INTERNATIONAL, LTD.

Defendants.

Index No.: 18-Civ. 8896-VSB

**DECLARATION**

**DECLARATION OF ADAM C. FORD IN SUPPORT OF GUY GENTILE'S AND  
MINTBROKER INTERNATIONAL LIMITED'S MOTION TO DISMISS**

Adam C. Ford, Esq., pursuant to 28 U.S.C. §1746 declares the following subject to penalties of perjury:

1. I am a principal of the law firm of Ford O' Brien, LLP, attorneys of record for Guy Gentile and MintBroker International Ltd.
2. I have personal knowledge of the matters set forth below, and the exhibits annexed hereto are true and correct copies of the documents described.
3. I submit this declaration in support of Defendants' Motions to Dismiss to place before the Court true and correct copies of certain documents.
4. Attached as Exhibit A is a true and correct copy of Avalon Holdings Corp ("Avalon")'s July 30, 2018 Form 8K and press release.
5. Attached as Exhibit B is a true and correct copy of Avalon's March 16, 2018 Proxy Statement.

6. Attached as Exhibit C is a true and correct copy of printouts of articles showing that the vast majority of trading no longer takes place on the floor of the exchange on the corner of Broad St. and Wall St., but rather in data centers located in northern New Jersey.

7. Attached as Exhibit D is a true and correct copy of the August 13, 2018 Complaint, Avalon Holdings Corporation. v. Gentile et al.

8. Attached as Exhibit E is a true and correct copy of the September 28, 2018 Complaint, New Concept Energy, Inc. v. Gentile et al.

9. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: December 27, 2018



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Adam C. Ford, Esq.